

Application No. 10/519,850
Reply to the Restriction Requirement of January 17, 2007

stage application, the Examiner has the burden of explaining why each group lacks unity with each other (MPEP §1893.03(d)), i.e. why there is no single general inventive concept. The presence of no single inventive concept must be specifically described.

The Examiner has characterized the inventions of Groups I and II as lacking the same or corresponding special technical feature because the feature shared by the two groups, “as shown by EP 963789 A2, . . . was known in the art.”

Annex B of the Administrative Instructions under the PCT at (b) Technical Relationship states:

“The expression “special technical features” is defined in Rule 13.2 as meaning those technical features that defines a contribution which each of the inventions, considered as a whole, makes over the prior art. The determination is made on the contents of the claims as interpreted in light of the description and drawings (if any).”

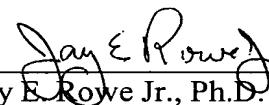
Applicants respectfully submit that the Examiner has not described the special technical feature as required by MPEP § 1893.03(d) nor has any indication been provided that the contents of the claims interpreted in light of the description was considered in making the assertion of a lack of unity of invention. Therefore the burden necessary to sustain the conclusion that the groups lack of unity of invention as required by MPEP § 1893.03(d) has not been met. For this reason, Applicants respectfully submit that the Requirement for Restriction should be withdrawn.

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Applicants submit that the above identified application is now in condition for examination on the merits, and early notice thereof is earnestly solicited.

Respectfully submitted,

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